



2017

# Title VI Program Limited English Proficiency Plan and Public Participation Plan

Flint Hills Regional Coordinated  
Transit Council 4



FLINT HILLS AREA TRANSPORTATION AGENCY INC.

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## Title VI Note

The Flint Hills Regional Transit Administration (FHATA) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under all programs or activities that the FHATA receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the FHATA. Any such complaint must be in writing and filed with the FHATA's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see our website at [www.flinthillsatabus.com](http://www.flinthillsatabus.com)

FHATA submits its annual Certifications and Assurances to the Federal Transit Administration (FTA) each year in accordance with the requirement to do so within 90 days from the date of the publication of the notice in the Federal Register or with the first grant application, whichever comes first. Updated Certifications and Assurances will be submitted each year.

The FHATA Title VI Notice to the Public is posted in our Administrative Office reception area, and our website [www.flinthillsatabus.com](http://www.flinthillsatabus.com). A copy of the Title VI Notice to the Public is attached as Appendix D to this program.

In order to comply with 49 CFR Section 21.9(b), any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the FHATA may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. A copy of the Title VI Complaint Procedures and Title VI Complaint Form is attached as Appendix B and Appendix C respectively, to this program.

As required by 49 CFR Section 21.9(b), the FHATA maintains a list of investigations, lawsuits, and complaints against the FHATA alleging discrimination on the basis of race, color, or national origin, which are investigated by entities other than FTA. A copy of the Title VI Investigations, Lawsuits, and Complaints is attached as Appendix E to this program.

# Introduction

## What is the FHATA?

The Flint Hills Area Transportation Inc. (FHATA) is a 501c3 private non-profit corporation founded in 1976, by a group of Riley County residents concerned about the lack of public transportation choices for seniors. FHATA is governed by a 15 member volunteer Board of Directors. Daily operations are handled by the Executive Director, who is assisted by an Operations Manager, support staff, a dispatch team and a team of carefully trained drivers. The service area includes all of the City of Manhattan and Riley County, as well as the City of Wamego, Green Valley and St. George areas of Pottawatomie County, Fort Riley and Geary County including Junction City, Grandview Plaza, and Milford. Service is available to the general public. The Agency is committed to offering courteous, safe, and reliable service for all of our riders, without regard to race, gender, age or disability.

## THE MISSION STATEMENT THAT DEFINES US

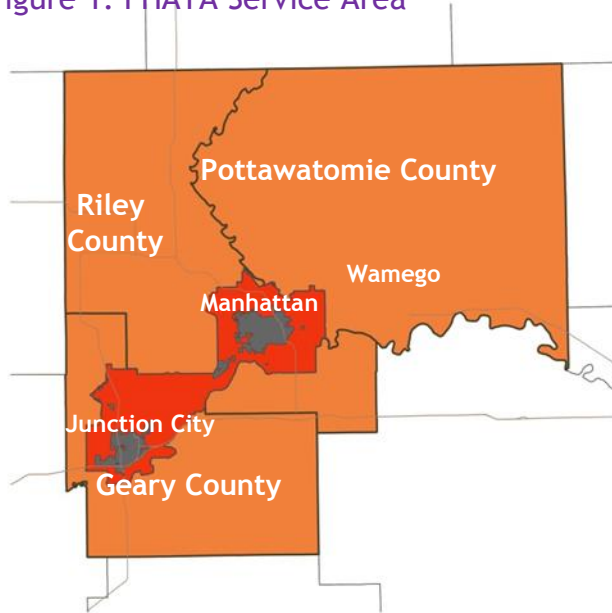
The mission of the Flint Hills Area Transportation Agency is to deliver the highest quality of public transportation service to the Flint Hills region.

## GOALS

- We will strive to increase our ridership in response to the continued growth of the area; to aid in and contribute to a growing regional economy and improve the quality of life for the community.
- To provide dynamic organizational leadership and change consistent with the growth of the Transit Agency.
- To continue to provide leadership in in the development of regional transit services.
- To continue seeking new opportunities for long term funding of our transit program; in addition, greater outreach to non-traditional sources of transit funding in order to reduce the dependence of the program on funding from local government and to create an overall funding equation which is dynamic and sustainable.

As a federally funded organization, FHATA has obligations to be involved in planning and development of general public transportation services to and within the Manhattan Urbanized Area, and throughout its service area outside of the Manhattan Urbanized Area within Riley, Geary, and Pottawatomie counties, including Fort Riley. FHATA has a responsibility to provide all residents with an equal opportunity to be engaged in this process.

Figure 1. FHATA Service Area



### What is Limited English Proficiency?

A majority of people living in the United States are able to read, write, speak, and understand the English language; however, for some, English is not their primary language. If those persons have a limited ability to read, write, speak or understand English, they are defined as Limited English Proficient (LEP). Language barriers can inhibit (or prohibit) LEP persons from participating in and/or benefiting from the planning process for transit service and the use of such transit services. The FHATA recognizes the potential barrier language can create and has developed this *Limited English Proficiency (LEP) Plan* to outline the resources available to provide LEP persons with language assistance services in order to provide meaningful access to the transportation planning process.

This FHATA Title VI Program has been prepared to ensure that the level and quality of fixed route and demand response services funded through the FHATA are provided in a nondiscriminatory manner and that the opportunity for full and fair participation is offered to transit riders and other community members. Additionally, through this program, FHATA has examined the need for services and materials for persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.

While it is a matter of principle that FHATA is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or subjected to discrimination in the receipt of any of transit services on the basis of race, color or national origin, the contents of this program have been prepared in accordance with Section 601 of Title VI of the Civil Rights Act of 1964 and Executive Order 13116 (Improving Access to Services for Persons with Limited English Proficiency).

Under the Civil Rights Act of 1964, and as a recipient of federal funding under the programs of the Federal Transit Administration (FTA) of the U.S. Department of Transportation (US DOT), FHATA has an obligation to ensure that:

- The benefits of transit services are shared equitably throughout the service area;
- No one is precluded from participating in FHATA's service planning and development process;
- Decisions regarding service changes or facility locations are made without regard to race, color or national origin and that development and urban renewal benefitting a community as a whole not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the community's minority population; and
- A program is in place for correcting any discrimination, whether intentional or unintentional.

## What is Title VI?

As a recipient of federal funds, the FHATA must comply with **Title VI of the 1964 Civil Rights Act**, the **Civil Rights Restoration Act of 1987**, and all relevant **Executive Orders**.

### *Title VI of the Civil Rights Act of 1964*

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 23 CFR 200.9 and 49 CFR 21).

### *Civil Rights Restoration Act of 1987*

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "program or activity" to include all programs or activities of federal aid recipients, sub-recipients, contractors and consultants, whether such programs and activities are federally assisted (Public Law 100259 [S. 557] March 22, 1988).

### *Executive Order 12898*

"Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," was an Executive Order signed by President Clinton on February 11, 1994. The Order requires all federal agencies to make environmental justice (EJ) part of their missions by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of programs, policies, and activities on minority and/or low-income populations.

#### ***Environmental Justice***

*The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income.*

The FHATA will incorporate EJ into the overall transit planning process. The Federal Transit Administration's (FTA) "Environmental Justice Policy Guidance for FTA Recipients" provides recipients of FTA financial assistance with guidance in order to incorporate environmental justice principles into plans, projects, and activities that receive FTA funding. The guiding EJ principles as defined by the US Department of Transportation (US DOT) and followed by the FHATA are as follows:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects of our programs, policies, and activities, including social and economic effects, on minority populations and low-income populations;
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and
- To prevent the unwarranted denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
- 

#### ***Executive Order 13166***

On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency". The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with Limited English Proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to federally conducted and federally assisted programs. It is expected that agency and program plans, as stipulated by the Executive Order, will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The U.S. Department of Justice's Policy Guidance Document, "Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency" (LEP Guidance), sets the compliance standards that recipients of Federal financial assistance must follow to ensure that their programs and activities provided in English are accessible to LEP persons as not to discriminate on the basis of national origin.



# FHATA's Limited English Proficiency (LEP) Policy

The FHATA strives to provide meaningful access to the agency's program and services through its public participation process. The public participation process is intended to engage the public and local stakeholders, including those with limited English proficiency.

## LEP Four-Factor Analysis

The US Department of Transportation recommends four factors that should be analyzed to determine the level and extent of language assistance required to provide meaningful access to program, activities, and services within the FHATA planning area. The factors include:

1. The number or proportion of LEP persons served or likely to be encountered by the program;
2. The frequency of which LEP individuals come in contact with the program;
3. The nature and importance of programs and services to LEP persons; and
4. The resources available and overall costs of providing language services.

After conducting the four-factor analysis, the FHATA is in a better position to implement a cost effective mix of proactive language assistance measures, target resources appropriately, and to respond to requests for LEP assistance.

### *Factor 1: The number or proportion of LEP persons served or likely to be encountered by the program*

To determine the number of LEP persons residing in the FHATA service area, 2010-2014 American Community Survey block group data was used. Limited English Proficiency (LEP) was identified as census category "*Speak English less than very well*". **Table 1**, below, shows the total number of people in CTD 4 area compared to the individuals that speak English less than well. The percentage of the total population that has a limited ability to speak English is 2.61%.

Language Spoken	Total population: 5 years and over	Speak English less than "very well"	% of total population that speak English less than "very well"
English only	151,215	*	*
Language other than English	12,259	4,273	34.86%
Spanish or Spanish Creole	5,610	1,603	28.57%
Other Indo-European languages	2,476	505	20.40%
Asian and Pacific Island languages	3,393	1,838	54.17%
Other Languages	780	327	41.92%

Source: 2010-2014 American Community Survey

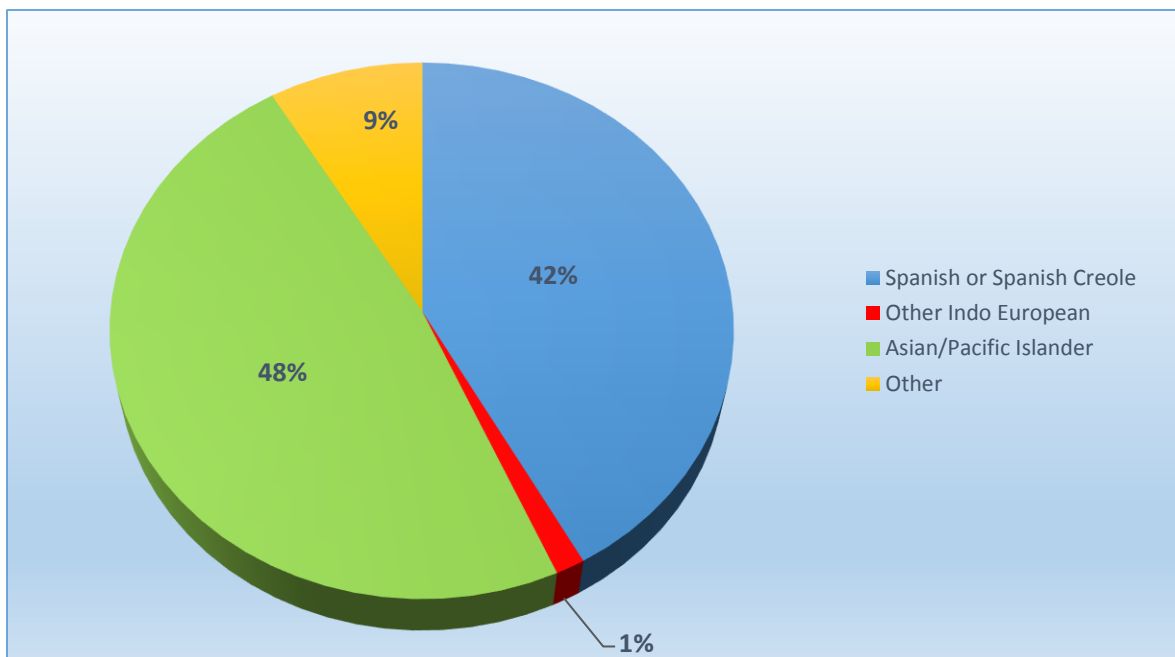
Table 1: Language Spoken and English Proficiency for CTD 4

Jurisdiction	Total population: 5 years and over	Speak English less than "very well"	% of total population that speak English less than "very well"
United States	294,133,373	25,295,470	8.60%
Kansas	2,680,197	120,909	4.51%
Coordinated Transit District 4	163,438	4,298	2.63%
Clay County	7,879	24	0.30%
Dickinson County	18,357	147	0.80%
Geary County	32,262	1,291	4.00%
Marshall County	9,420	85	0.90%
Pottawatomie County	20,402	102	0.50%
Riley County	69,727	2,563	3.68%
Washington County	5,391	86	1.60%

Source: 2010-2014 American Community Survey

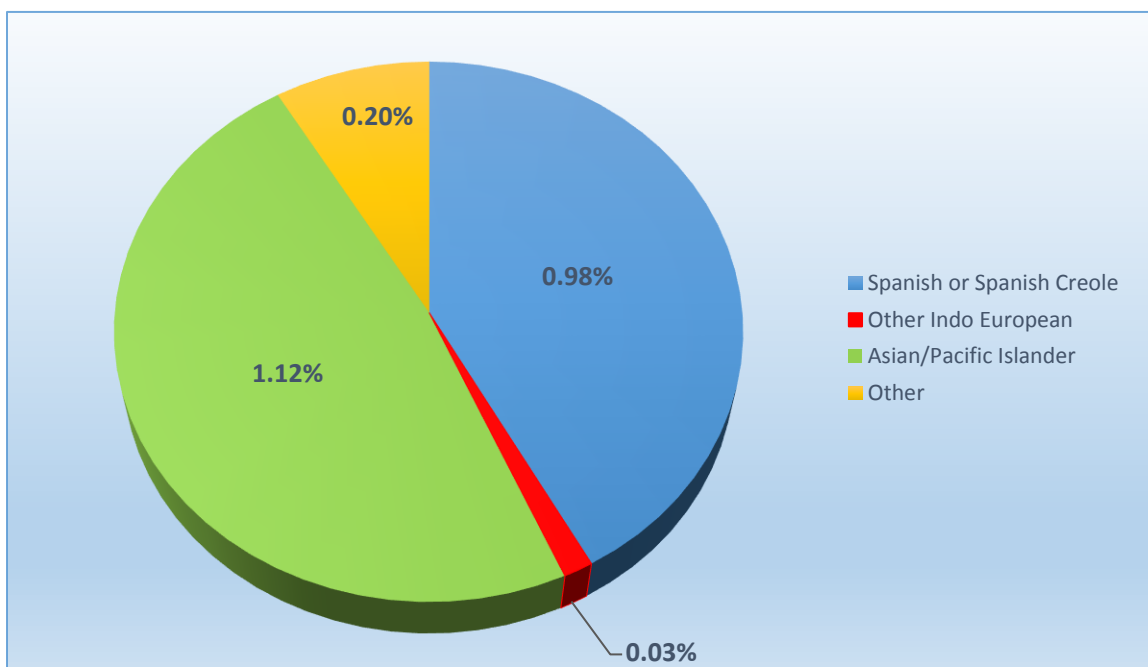
Table 2: provides a comparison of national, state, county, and city data compared to CTD 4.

**Note: The FHATA service area encompasses Riley, Pottawatomie, and Geary counties.**



Source: 2010-2014 American Community Survey

Figure 2: Percentage by Language Among Population of Individuals Speaking English "Less than Very Well"



Source: 2010-2014 American Community Survey

Figure 3: Highest Population of Individuals Speaking English "Less than Very Well" by Language

### ***Factor 2: The frequency of which LEP individuals come in contact with the program***

The FHATA has not received any requests for translated materials or for interpretation services at public meetings. Although the proportion of people with a limited ability to speak English in the FHATA region is relatively low, the FHATA has developed an LEP Implementation Plan to outline the strategies identified to engage LEP individuals in the process to be followed by the FHATA in providing transit services to the Manhattan Urbanized Area.

### ***Factor 3: The nature and importance of programs and services to LEP persons***

The FHATA has been providing public transportation services since 1976. The FHATA is a \$5307 and \$5311 service provider. The FHATA does not provide any direct services that require vital, immediate, or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Citizens are encouraged to become involved in the FHATA's planning activities and processes as the transportation goals and improvements resulting from its planning activities have an impact on all residents. The FHATA recognizes the importance of involving all segments of the population and evaluates the impact of public transportation decisions on traditionally underserved or underrepresented groups, including LEP persons.

### ***Factor 4: The resources available and overall costs of providing language services***

The final step of the four-factor analysis is to assess the needs of LEP persons within the FHATA service area against the resources available and the cost of those services. As described previously, the LEP population in the FHATA region is a small segment of the total the population, and does not appear to warrant the translation of FHATA documents. Further, given the conservative budget the FHATA must work with, translating documents would be extremely cost prohibitive. However, as described in the LEP Implementation Plan below, the FHATA is committed to engaging all residents in the public transportation planning process and will continue to monitor the methods used to engage LEP persons.

## **Safe Harbor Stipulation**

Federal law provides a “safe harbor” stipulation so recipients of federal funds can ensure compliance with their obligation to provide written translations in languages other than English with greater certainty. A “safe harbor” means that as long as a recipient (the FHATA) has created a plan for the provision of written translations under a specific set of circumstances, such action will be considered strong evidence of compliance with written translation obligations under Title VI.

Failure to provide written translations, however, does not necessarily mean that there is noncompliance. In certain situations where it may be too burdensome or cost prohibitive to translate a document, then written translation would not be required. In such cases, other ways of providing meaningful access, such as effective oral interpretation of certain documents, may suffice.

Evidence of compliance with the recipient's written translation obligations under "safe harbor" includes providing written translations of vital documents for each LEP language group that constitutes 5% or 1,000 persons, whichever is less. Oral translation of non-vital documents is deemed sufficient under the "safe harbor" provision to meet the requirements of Title VI.

The "safe harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable to provide.

## LEP Implementation Plan

Based on the four-factor analysis and the overall percentage of limited English proficiency (LEP) persons in the FHATA region, translating documents to other languages is not warranted, nor cost effective. While the translation of documents is not feasible, the FHATA is committed to engaging the region's diverse population in the transportation planning process as well as in its service operations, and has identified implementation strategies for providing LEP persons with language assistance services. These strategies are further described in the paragraphs below.

### *Identifying LEP Individuals*

The U.S. Census Bureau has created language identification cards that have translated "Mark this box if you read or speak [name of language]" into 38 different languages. The FHATA will make those cards available in the office, on the FHATA website, and at all public meetings. Once an individual's language has been identified, the FHATA will evaluate the feasibility of providing written translation service and/or oral interpretation assistance. The Census Bureau's language identification cards can be downloaded for free at: [www.lep.gov/ISpeakCards2004.pdf](http://www.lep.gov/ISpeakCards2004.pdf).

### *Language Assistance*

The FHATA is a 501c3 private non-profit organization and does not have the in-house expertise or capacity to provide translation services. If the translation of a document is requested, the FHATA will utilize a free online written translator website, a local volunteer (if one is available), or working with Kansas State University and one of the language departments. If the required language is not available in written form and formal interpretation is required, staff will use the telephone interpreter service, Language Line, at 1-800-752-6096, or seek assistance from Kansas State University.

The Kansas Relay Center (KRC) is a free service that connects customers who are deaf, hard of hearing or have speech disabilities with others, using either standard telephone equipment or telephone equipment that has been specifically designed for individuals with disabilities. Making a call is simple: dial 7-1-1 or the toll-free number, 1-800-766-3777.

The FHATA cannot accurately assess or guarantee the accuracy of translation services provided by others. Although working within the confines of a limited budget and capabilities, the FHATA pledges that it will, to the best of its abilities, ensure that LEP persons have a meaningful opportunity to participate in the transportation planning and decision-making process.

### ***FHATA Staff Training***

Current FHATA staff members and incoming staff members will be briefed on the FHATA LEP Plan, how to assist LEP persons, and will be encouraged to attend any relevant training offered. New staff members will also be instructed to keep a record of language assistance requests so that needs may be accurately assessed in the future.

### ***Monitoring and Updating the LEP Plan***

This LEP Plan, along with other public involvement documents, will be reviewed and updated as needed on a schedule that coincides with the Flint Hills Transportation Plan updates.

Each update will consider the following components:

- Current LEP population in the FHATA area.
- Number of LEP persons engaged in the FHATA process and record of if their needs were met.
- Record of complaints received.
- Review any complaints received.
- Changes in resources, such as technology, staff, and financial resources changed.
- Review of any applicable federal and state regulations regarding LEP plans.

### ***Dissemination***

The FHATA will post this LEP Plan on its website under the “Public Participation” tab at: [www.flinthillsatabus.com](http://www.flinthillsatabus.com). Copies of the LEP Plan will also be available at the FHATA office. Any person or agency requesting a copy of the LEP Plan will be provided a copy.

### ***Complaint Process***

To file a complaint regarding LEP activities, please fill out the Title VI Complaint Form, available in PDF format by following this link: [www.flinthillsatabus.com](http://www.flinthillsatabus.com). Should an LEP complaint be filed, the Title VI review process will be followed. Hard copies of the Title VI Complaint Form are available upon request.

The FHATA maintains a list of complaints filed alleging discrimination on the basis of race, color, or national origin. This list includes the date the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken in response to the investigation, lawsuit or complaint.

## Public Participation Plan

Public participation is an integral part of FHATA's effort to provide public transportation services to Riley, Geary, and Pottawatomie counties, including the Manhattan urbanized area. While federal laws and regulation set a framework for public involvement, FHATA seeks to tailor a public participation process that is effective at engaging the diverse population in the region.

## Public Involvement Methods

The FHATA strives to provide a public involvement process with comprehensive information, timely public notice, and full public access to the regional transportation planning process. The FHATA works closely with local, state, and federal planning partners (KDOT, FHWA, FTA, FHMPPO, Flint Hills Regional Transit Administration, Coordinated Transit District 4, Kansas State University and local jurisdictions) to coordinate public outreach efforts. The following methods are used to provide the public and interested parties with a variety of opportunities for being involved in the planning process, based on the information gathered from the Public Participation Survey.

### FHATA Board of Directors

The FHATA Board is the decision-making body of the FHATA and is comprised of local elected officials from the City of Manhattan, the three counties (Geary, Riley and Pottawatomie), a representative from the Kansas State University as well as citizens from the FHATA service area. The FHATA Board meetings are open to the public and are held in accessible locations. There is a public comment opportunity at the beginning of each meeting to allow citizens to address the Policy Board with their comments or concerns. Additionally, the FHATA Board agendas are posted on the FHATA's website and sent out to citizens who have asked to be included on the FHATA's email notification list ([see Stay Informed! for information on how to sign-up for email notifications](#)). The Board meetings are governed by the Kansas Open Meeting Act (KOMA) and the Kansas Open Records Act (KORA). However, there may be times when Policy Board meetings are closed to the public for Executive Sessions to discuss personnel and other sensitive issues.

### Working Groups and Steering Committees

In addition, the FHATA may create ad hoc working groups or steering committees to focus on a specific topic or document. Any long-term or standing sub-committees will be appointed by the Board at a regularly occurring meeting.



## Document Availability

When major FHATA documents or products are developed, updated or amended, copies of the draft document will be available during the public comment period at the locations listed below. A copy of the draft may also be obtained by visiting The FHATA website, [www.flinthillsatabus.com](http://www.flinthillsatabus.com) or contacting FHATA staff at 785-537-6345 or 1-877-551-6345.

*Hard copies of documents out for public comment are available at:*

**Manhattan City Hall**

1101 Poyntz Ave  
Manhattan, KS 66502

**Manhattan Public Library**

629 Poyntz Ave  
Manhattan, KS 66502

**Geary County Office Building**

200 East 8<sup>th</sup>  
Junction City, KS 66441

**Riley County Office Building**

110 Courthouse Plaza  
Manhattan, KS 66502

**Junction City Municipal Building**

700 N. Jefferson  
Junction City, KS 66441

**Dorothy Bramlage Public Library**

230 West Seventh Street  
Junction City, KS 66441

**Pottawatomie County Building**

207 N 1st  
Westmoreland, KS 66549

**FHMPO Office**

1801 Buffalo Soldier  
Fort Riley, KS 66442

## Website

The FHATA website—[www.flinthillsatabus.com](http://www.flinthillsatabus.com)—provides a wealth of information about the FHATA. Housed on the website are important documents and meeting agendas, along with announcements regarding current comment periods and public meetings. The FHATA website has a “Contact” tab to allow interested parties to submit comments, questions, or requests to be placed on the FHATA’s email notification list.

The website also contains a link to Google Translate and WorldLingo, a free translation tool. This allows for website information and documents to be translated from English into a variety of other languages. Google Translate currently does not allow documents on the website to be directly translated into another language, but users may copy and paste the text into the WorldLingo. The FHATA will continue to explore ways to translate the website content in accordance with the Limited English Proficiency Plan.

## Social Networking

The FHATA maintains a Facebook account and a Twitter account to provide notifications and updates to the public on the transportation planning process. Facebook and Twitter can also be used to elicit public comments on documents during public comment opportunities. The social networking sites can be accessed by clicking the Facebook/Twitter icon on the FHATA's homepage, by visiting [www.facebook.com/Flinthillsatabus](http://www.facebook.com/Flinthillsatabus) or on Twitter @FlinthillsaTa.

## Email Notifications

The FHATA maintains a database of interested citizens, agency staff and stakeholders wanting to receive email notifications. This allows the FHATA to email notifications regarding meeting agendas, special events or meetings, public comment periods or other information. During the development of the Metropolitan Transportation Plan (MTP), the FHATA may also utilize the email notification systems already established by local jurisdictions to inform citizens of public meetings and the MTP draft public comment period.

### Stay Informed!

Sign up to receive periodic emails concerning major FHATA initiatives. To be added, call 785-537-6345, or 1-877-551-6345 email [asmith@rileycountyks.gov](mailto:asmith@rileycountyks.gov) or visit [www.flinthillsatabus.com](http://www.flinthillsatabus.com) and select the "Contact" tab.

## Postal Mailings

The FHATA recognizes the diversity in the citizens it serves and that not everyone may have readily available access to the internet to view the FHATA website or receive email notifications. While it would be cost prohibitive to mail every resident in the FHATA service area notification each time a comment period or public meeting is held, citizens may request that the FHATA mail them notifications if that is their preferred method. Mailings may also be used by the FHATA to target specific neighborhoods or stakeholder groups to gather comments or feedback.

## Public Meetings, Workshops, and Open Houses

The FHATA will hold public meetings as necessary for specific issues or documents. If a public meeting is required by federal regulations, one will be held before or during the public comment period in a location accessible by the public. Public meetings and open houses will generally be conducted between the hours of 4:00pm and 6:00pm, Monday through Thursday. The FHATA will strive to hold a public meeting in the impacted community to provide access that is more convenient for all citizens in the FHATA region.

Workshops, open houses, or other events may also be conducted to keep the public informed, involved, and elicit feedback on various projects and plans. To notify the public of these events, the FHATA will post information on the FHATA website, and, if appropriate, through email notices, mailed notices, legal publications in the newspaper, or press releases.

## Local Newspaper Articles and Legal Notices

The local media will be notified when providing information to the public or encouraging participation. Press releases will be sent whenever notable planning activities are occurring. The FHATA will publish a legal notice in both the *Manhattan Mercury* and the *Junction City Daily Union*, notifying the public of public meetings or of public comment periods for the Metropolitan Transportation Plan.

## Cable TV Public Access Channels

Public meetings and open houses will be advertised on the local cable TV public access channels (City of Manhattan, Channel 3 and the City of Junction City's Government Access Channel, Channel 3).

## Media Press Releases

Press Releases are sent to local media contacts regarding public meetings, open houses and documents out for public comment. There are some media contacts that have requested to be placed on the FHATA email notification lists as well.

## Presentations

Civic organizations, interest groups, and agencies may request presentations by FHATA staff. Presentation topics may include a general overview of the FHATA or specific FHATA work products or planning activities.

## Visualization

Visualization techniques will be used in all core transportation plans, programs and documents as much as possible. Visualization techniques promote improved understanding of the FHATA process and products for those who do not have a background in transportation planning. These techniques will include the use of colors, diagrams, tables, figures, maps and photos that further illustrate the ideas and concepts in transportation plans, projects and programs.

## Engaging Traditionally Underserved Populations

While a federal requirement, it is also a practice of the FHATA to make special effort to consider the concerns of traditionally underserved populations, including low-income, minority, elderly, immigrant, and disabled populations. FHATA meetings are open to the public and held in locations that are accessible by transit and in buildings compliant with the Americans with Disabilities Act (ADA). The FHATA staff will use a combination of the following techniques, as appropriate, to engage the traditionally underserved populations:

- Conduct interviews orally to reduce low-literacy as a barrier.
- Utilize local residents to help interview citizens in their own communities.
- Provide a comfortable meeting space with appropriate accommodations.
- Involve local officials and community representatives, as appropriate.
- Use traditional, non-computer based means during public outreach efforts.
- Hold meetings in “neutral” locations like schools, community centers, or public libraries (when necessary).
- To the extent possible, host meetings in locations that are accessible by transit and held during transit operating hours.
- Utilize the knowledge and connections of existing organizations.
- Attend scheduled and special events (the “don’t wait for them to come to you, go to them” approach).
- Provide documents in alternative formats upon request.
- Use interpreters and translated materials where appropriate and feasible (this will be further developed in the FHATA’s Limited English Proficiency Plan).

## Evaluating Public Participation Strategies

One of the five objectives of the FHATA’s Public Participation Plan is to “evaluate” the process and methods used to involve the public in the planning process. The PPP is a constantly evolving document and must be continuously evaluated and improved upon to create and maintain effective public engagement.

A complete update of the PPP is initiated every five years to reevaluate the methods and strategies for engaging the public. In the interim, the public participation process will be reviewed on an annual basis to assess whether public opinions are being actively sought and that the public has equal and full access to all FHATA documents and plans. Public participation methods will be reviewed using the following evaluation criteria to gauge the effectiveness of each strategy.

<b>Method</b>	<b>Evaluation Criteria</b>
Website	<ul style="list-style-type: none"> <li>●Number of emails received through website</li> <li>●Number of visitors</li> <li>●Number of first time visitors</li> </ul>
Social Networking	<ul style="list-style-type: none"> <li>●Number of Facebook "Likes"</li> <li>●Number of Twitter Followers</li> <li>●Number of comments received</li> </ul>
Email Contact List	<ul style="list-style-type: none"> <li>●Number of persons in the database</li> <li>●Number of additions to the mailing list each quarter</li> </ul>
Postal Mailings	<ul style="list-style-type: none"> <li>●Number of requests for postal mailings</li> </ul>
Public Meetings/Open Houses	<ul style="list-style-type: none"> <li>●Number of attendees</li> <li>●Number of comments received</li> </ul>
Newspaper Ads and Articles	<ul style="list-style-type: none"> <li>●No measure (required for most documents)</li> </ul>
Cable TV Public Access Channels	<ul style="list-style-type: none"> <li>●No measure</li> </ul>
Neighborhood Meetings	<ul style="list-style-type: none"> <li>●Number of attendees</li> <li>●Number of comments received</li> </ul>
Surveys	<ul style="list-style-type: none"> <li>●Number of surveys sent</li> <li>●Number of surveys returned</li> </ul>
Presentations	<ul style="list-style-type: none"> <li>●Number of presentations made</li> </ul>
Press Releases	<ul style="list-style-type: none"> <li>●Number of contacts</li> <li>●Number of media articles/radio interviews</li> </ul>

# Service Standards and Policy Requirement

All fixed route transit providers shall set standards and policies for each specific fixed route mode of service they provide. Fixed route modes of service include but are not limited to, local bus, express bus, commuter bus, and bus rapid transit. These standards and policies must address how service is distributed across the transit system, and must ensure that the manner of the distribution affords users access to these assets.

Providers of fixed route public transportation shall also adopt system-wide service policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. Service policies differ from service standards in that they are not necessarily based on a quantitative threshold.

FHATA has established the following standards as guidelines to assure the equitable distribution of services and the accessibility of the fixed-route services.

## 1. Vehicle Assignments/Age of Vehicles

Fixed route transit providers must set a policy to govern vehicle assignment. Buses are assigned on a random basis with no assignment to a specific route based on the age of the bus. The only vehicle requirement as related to a service is that which is associated with capacity. Those routes having the greatest ridership are assigned vehicles with an adequate passenger capacity.

## 2. Vehicle Load

Vehicle load is expressed as the ratio of passengers to the total number of seats on a vehicle, relative to the vehicle's maximum load point. Load factor characteristics are shown below.

Vehicle loads are monitored on a daily basis. On routes that experience extremely high passenger activity vehicle loads are reported in real time.

The average of all loads during the peak operating period shall not exceed the vehicles' maximum operating capacity. The maximum operating capacity for the 20 passenger fixed route vehicles with 14 ambulatory seats and 3 wheelchair seats is 32 passengers. This is associated with a maximum load factor of 2.25.

For a 20 Passenger bus:

- 14 Ambulatory + 0 Wheelchairs
- 8 Ambulatory + 3 Wheelchairs

Load Factor:

- $2.25 \rightarrow (14 \times 2.25) = 32$  (Rounded from 31.5) - 14 Seated and 18 Standees Permitted

### 3. Vehicle Headways (Frequencies)

Vehicle headway is the amount of time between two buses traveling in the same direction on a given route. For the convenience of the riding public FHATA maintains uniform headways of 60 minutes.

To accommodate peak period demands on the busiest routes, an additional "tripper" bus may be used. These trippers are necessary in order to address when vehicles are exceeding the standard vehicle load factor. Since trippers are used to address rapid changes in passenger activity they are not included in published headways.

### 4. On-Time Performance

On-time performance is a measure of runs completed as scheduled. Among the most important service standard for customers is on-time performance or adherence to the published schedules.

FHATA expects a higher level of service to the community. In order to maintain a predictable service that operates with schedule confidence, FHATA requires an on-time for all fixed transit vehicles of eighty-five (85%) percent. A vehicle is considered on-time if it arrives at the stop less than 5 minutes early and no more than 5 minutes late.

### 5. Service Availability

At a minimum: The Blue and Red Routes in Manhattan operate year round Monday-Friday from 6:55a.m.-7:55p.m. and on Saturday from 7:55am-7:25pm. The Green and Orange in Manhattan routes only operate during the KSU Fall and Spring semesters, Monday-Friday from 6:25am-7:25pm. The Jardine, Park&Ride, and SafeRide operate on the campus of Kansas State University, during the academic year. In Junction City, the Green, Red, and Blue routes operate Monday-Friday from 7:00a.m.-7:00 p.m., year round. Routes do not operate New Year's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, and Christmas Day.

### 6. Distribution of Transit Amenities

Transit amenities refer to items of comfort, convenience, safety that are available to the general riding public. Fixed route transit providers must set a policy to ensure equitable distribution of transit amenities across the system.

Bus Shelters: Consideration of locations is based on ridership analyses as well as the ability to safely board and alight passengers. New transit amenities installed by the transit agency will be constructed in a manner that the number of passengers boarding at each stop and the lack of protection from weather will determine the order of construction. The stop with the highest number of boarding that currently lacks amenities for protection from weather will be the first stop with added amenities.

Bus Stop Signs: Bus stop signs are located throughout the service area at major boarding locations. The sign content, design, markings, lettering, color, illumination, reflectivity, size, shape, material and construction must comply with the most current

version of the Manual on Uniform Traffic Control Devices (MUTCD). The content of the signs shall be limited to: 1) location of bus stops, 2) route information, and 3) time schedules.

## 7. Monitoring Service Standards

Monitoring of the service standards is integral to operational planning. The age of the vehicles is part of capital planning which is evaluated annually; vehicle loads are measured when evaluating ridership on a monthly basis; headways relates to the ability to maintain a schedule and on-time performance which is monitored daily; service accessibility and transit amenities are part of the on-going annual planning activities.

## 8. Complementary Paratransit

To comply with the Americans with Disabilities Act (ADA) transit agencies are required to provide a complementary paratransit service for disabled persons who cannot independently use the bus service because of a disability. Paratransit service must be provided along a corridor that mirrors the fixed route service. Complementary paratransit service is a door-to-door service provided in the service area. Generally, the ADA established service area extends three quarters of a mile on each side of the established fixed route. Complementary service is available on those days and during those times when trips are provided on regular routes. To take advantage of complementary paratransit service, you must be certified as ADA eligible.

# Anti-Drug Use and Alcohol Misuse Testing

Each applicant shall establish an anti-drug use and alcohol misuse program consistent with the requirements of 49 PART 655—PREVENTION OF ALCOHOL MISUSE AND PROHIBITED DRUG USE IN TRANSIT OPERATIONS.

An anti-drug use and alcohol misuse program shall include the following:

- A statement describing the employer's policy on prohibited drug use and alcohol misuse in the workplace, including the consequences associated with prohibited drug use and alcohol misuse. This policy statement shall include all of the elements specified in §655.15. Each employer shall disseminate the policy consistent with the provisions of §655.16.
- An education and training program which meets the requirements of §655.14.
- A testing program, as described in Subparts C and D of this part, which meets the requirements of this part and 49 CFR Part 40.
- Procedures for referring a covered employee who has a verified positive drug test result or an alcohol concentration of 0.04 or greater to a Substance Abuse Professional, consistent with 49 CFR Part 40.



## Civil Rights

The civil rights of all passengers must be assured within the daily operations of all transportation related providers. Transportation service programs will not discriminate against any person on the basis of race, color or national origin. A procedure for all discrimination complaints must be in place with every effort to resolve the complaint as quickly as possible. Transportation service providers must have a Title VI plan and policies in place that address procedures for the complaint or grievance process.

# Appendices

Appendix A: Title VI Assurances

Appendix B: Title VI Complaint Procedures

Appendix C: Title VI Complaint Form

Appendix D: Title VI Notice to the Public

Appendix E: Title VI Investigations, Lawsuits, and Complaints

Appendix F: Record of Policy Board Adoption

# Appendix A: Title VI Assurances

04 – Certifications & Assurances

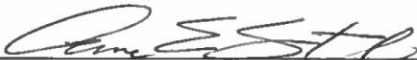
## 3. ASSURANCE OF COMPLIANCE WITH TITLE VI (of the Civil Rights Act of 1964) CERTIFICATION:

Name of Organization: Flint Hills Area Transportation Agency Inc.

HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by the U.S. Department of Transportation, to the end that, in accordance with Title VI of the Act, no person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department under Federal Transit Administration Act programs; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Recipient by the Department under Federal Transit Administration programs, this assurance shall obligate the Recipient, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided this assurance shall obligate the Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Recipient for the period during which the Federal financial assistance is extended to it by the Department under Federal Transit Administration programs.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the Department under Federal Transit Administration programs. The Recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representatives and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Recipient, its successors, transferees, and assignees. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

Signed by 

Agency CEO, President, Director or authorized official

Date 10 October 2016

## Appendix B: Title VI Complaint Procedures

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the Flint Hills Area Transportation Agency Inc. (FHATA) (hereinafter referred to as “the Agency”) may file a Title VI complaint by completing and submitting the agency’s Title VI Complaint Form. The Agency investigates complaints received no more than 180 days after the alleged incident. The Agency will process complaints that are complete.

Upon receipt of the complaint, the Executive Director of Flint Hills Area Transportation Agency Inc. shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the complaint. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The Agency has 30 days to investigate the complaint. If more time is required, the Executive Director shall notify the Complainant of the estimated timeframe for completing the review. If more information is needed to resolve the case, the Agency may contact the complainant. The complainant has 30 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 30 business days, the Agency can administratively close the case. A case can be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the Complainant disagrees with the Agency’s response, he or she may request reconsideration by submitting the request, in writing, to the Executive Director within 10 calendar days after receipt of the Agency’s response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the Agency. The Executive Director will notify the Complainant of the Agency’s decision in writing either to accept or reject the request for reconsideration within 10 calendar days. In cases where the Agency agrees to reconsider, the matter shall be returned to the staff review officer(s) to reevaluate in accordance with Paragraph 2 above.

If the request for reconsideration is denied, the Complainant may appeal the Agency's response by submitting a written appeal to The Flint Hills Area Transportation Agency Inc. Board of Directors no later than 10 calendar days after receipt of the Agency's written decision rejecting reconsideration. Flint Hills Area Transportation Agency Inc. Board of Directors will then make a determination to either request re-evaluation by the staff review officer(s) or forward the complaint to Kansas Department of Transportation for further investigation.

A person may also file a complaint directly with the Kansas Department of Transportation:

KDOT Office of Contract Compliance  
Eisenhower State Office Building  
700 SW Harrison 3<sup>rd</sup> Floor  
Topeka, KS 66603

Or the Federal Transit Administration:

The Federal Transit Administration  
FTA Office of Civil Rights  
1200 New Jersey Avenue SE  
Washington, DC 20590

# Appendix C: Title VI Complaint Form

Flint Hills Area Transportation Agency Inc.

## Title VI Complaint Form

The Flint Hills Area Transportation Agency Inc. is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin in the provision of transportation services and transit-related benefits.

The purpose of this form is to assist you in filing a complaint with the Flint Hills Area Transportation Agency Inc.

You are not required to use this form: a letter containing the same information will be sufficient. It is important, however, to include all information related to sections marked with a star (\*), whether or not the form is used.

If you need assistance in completing this form, please call the Flint Hills Area Transportation Agency Inc. at 785-537-6345 or 1-877-551-6345.

Section I: *				
Name:				
Address:				
City:			State/Zip:	
Telephone (Home):			Telephone (Cell):	
E-Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II: *				
Are you filing this complaint on your own behalf?			Yes *	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.

Yes

No

Section III: \*

I believe the discrimination I experienced was based on (check all that apply):

☐ Race/Color

☐ Religion

☐ National Origin

☐ Age

☐ Sex

☐ Disability

Date(s) of Alleged Discrimination (Month, Day, Year): \_\_\_\_\_

Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Please indicate all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. Be sure to include how other persons were treated differently from you. If more paper is needed, please use the back of this form.

Do you have any other information you think is relevant to our investigation of your allegations?

Section IV:

Have you, or the person discriminated against, previously filed a Title VI complaint with this agency?

Yes

No

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State Court?

☐ Yes      ☐ No

If yes, check all that apply:

☐ Federal Agency

☐ Federal Court

☐ State Court

☐ State Agency

☐ Local Agency

If you have already filed a charge or complaint with an agency indicated above, please provide the following information (attach additional pages if necessary):

Agency Name:

Date Filed:

Case or Docket Number:

Date of Trial/Hearing:

Location of Agency/Court:



Name of Investigator:
Status of Case:
Results:
Additional Comments:
Section VI:
How did you learn that you could file this complaint?

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\*Signature and date required.

Please feel free to attach any written materials or other information to explain the present situation to us.

Please mail the completed and signed Title VI Complaint Form (make one copy for your records) to:

Flint Hills Area Transportation Agency Inc.  
5815 Marlatt Av  
Manhattan, KS 66503  
ATTN: Executive Director

## Appendix D: Title VI Notice to the Public

### Notifying the Public of Rights Under Title VI

#### FLINT HILLS AREA TRANSPORTATION AGENCY INC. (FHATA)

- FHATA operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with FHATA.
- For more information on the FHATA's civil rights program, and the procedures to file a complaint, contact 785-537-6345 or 1- 877-551-6345; email: [asmith@rileycountyks.gov](mailto:asmith@rileycountyks.gov) or visit our administrative office at 5815 Marlatt Avenue Manhattan, KS 66503

For more information, visit [www.flinthillsatabus.com](http://www.flinthillsatabus.com)

- A complaint may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590.

If information is needed in another language, contact 1- 855-785-3472.

This notice is posted in the foyer at  
Flint Hills Area Transportation Agency Inc. (FHATA)  
It is posted on the agency website at <http://www.flinthillsatabus.com>

# Appendix E: Title VI Investigations, Lawsuits, and Complaints

## Flint Hills Area Transportation Agency Inc.

	Date Submitted/Filed Month, Day, Year)	Summary of Allegation (Include basis of complaint: race, color or national origin)	Status	Resolution/Action Taken
Investigations 1. 2. 3.				
Complaints 1. 2. 3.				
Lawsuits 1. 2. 3.				